

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DAMASCUS CITIZENS FOR)	
SUSTAINABILITY, INC. and CYNTHIA NASH,)	
)	
Plaintiffs,)	CIVIL ACTION – LAW
v.)	
)	Docket No. <u>3:25-cv-00625-KM</u>
)	
SEAN DUFFY, SECRETARY)	
U.S. DEPARTMENT OF TRANSPORTATION,)	
et al.)	
)	
Defendants.)	
)	

**PLAINTIFFS’ MOTION FOR A TEMPORARY RESTRAINING ORDER AND
PRELIMINARY INJUNCTION**

INTRODUCTION

Pursuant to Local Rule 7.1, Plaintiffs Damascus Citizens for Sustainability, Inc. (“Damascus Citizens”) and Cynthia Nash (hereinafter “Plaintiffs”) hereby file this motion for a temporary restraining order and preliminary injunction, filed pursuant to Rule 65(a) and (b) of the Federal Rules of Civil Procedure and 5 U.S.C. § 705. Plaintiffs are seeking an emergency order to halt any further actions taken by Defendant Pennsylvania Department of Transportation (“PennDOT”) and its contractors to demolish the historic Skinners Falls-Milanville Bridge (“the Bridge”) as part of a project funded by Defendant Federal Highway Administration (“FHWA”). The Bridge crosses the Delaware River between Damascus Township, Wayne County, PA and the hamlet of Skinners Falls in Cochection, NY, providing a key linkage between the two towns. The Bridge is both individually listed in the National Register of Historic Places (“NRHP”) and is a contributing property to the NRHP-listed Milansville Historic District.

On April 7, 2025, Plaintiffs were advised that PennDOT intends to commence demolition of the Bridge, including the use of explosives to demolish the bridge trusses, on **Thursday**,

April 10, 2025. *See* email from Neal Brofee, PennDOT Environmental Counsel dated April 7, 2025 (attached). Emergency injunctive relief halting Bridge demolition is necessary to preserve the *status quo* and avoid irreparable injury to this historic property and to the Plaintiffs.

On April 7, 2025, Plaintiffs filed a verified complaint in this Court seeking declaratory and injunctive relief. This verified complaint sets forth specific factual allegations and supporting documents, that are incorporated by reference in this motion, and states claims for relief under numerous federal and state environmental laws, including but not limited to the National Environmental Policy Act (“NEPA”), 42 U.S.C. § 4332(2), Section 106 of the National Historic Preservation Act (“NHPA”), 16 U.S.C. § 470f, Section 4(f) of the Department of Transportation Act (“Section 4(f)”), 23 U.S.C. § 138, and Article I, Sec. 27 of the Pennsylvania Constitution.

A brief in support of Plaintiffs’ motion for a temporary restraining order will be filed forthwith, addressing the legal standard for issuance of injunctive relief. Pursuant to Local Rule 7.5, Plaintiffs intend to file a supplemental brief in support of their motion for a preliminary injunction within fourteen days.

Pursuant to Local Rule 7.1, Plaintiffs sought the concurrence of Defendants yesterday afternoon, and were advised that Defendant PennDOT does not concur in the requested relief. *See* attached email from Neil Brofee. No other Defendant has responded to the present.

Respectfully submitted,

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(Petition for Pro Hac Vice Admission Pending)*

/s/ Lauren M. Williams

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